

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDITH RUSHTON,)	
Plaintiff,)	
)	
vs.)	Civil Action No. 04-1889
)	Judge McVerry
MARINA ASSOCIATES, a New Jersey)	Magistrate Judge Hay
General Partnership d/b/a HARRAH'S)	
ATLANTIC CITY d/b/a HARRAH'S NEW)	
JERSEY, INC.,)	
Defendant and Third-Party)	
Plaintiff,)	
)	
vs.)	
)	
F & G TOOL & DIE COMPANY, INC.)	
and TOP LINE SEATING, INC.,)	
Third-Party Defendants.)	

O R D E R

AND NOW, this 8th day of September, 2005, after the plaintiff, Edith Rushton, filed an action in the above-captioned case, and after an Amended Motion to Dismiss was submitted by defendant, Marina Associates, a New Jersey General Partnership d/b/a Harrah's Atlantic City d/b/a Harrah's New Jersey, Inc., and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's Amended Motion to Dismiss [Docket No.6] is GRANTED.

IT IS FURTHER ORDERED that final judgment of this Court is entered pursuant to Rule 58 of the Federal Rules of Civil Procedure.

s/ Terrence F. McVerry
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Norman G. Matlock
2 Bala Plaza
Suite 300
Bala Cynwyd, PA 19004

Jeffrey C. Sotland
Phillip B. Silverman
Mintzer, Sarowitz, Zeris, Ledva & Meyers
1528 Walnut Street
22nd Floor
Philadelphia, PA 19102

Kristin L. Pieseski, Esquire
Email: kpieseski@dmcpc.com